

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

TYLER CARR, an individual,

Plaintiff,

v.

TAYLOR NOREN, an individual, WELLS
FARGO BANK, N.A., AS TRUSTEE FOR
HARBORVIEW MORTGAGE LOAN TRUST
2006-10, a Delaware corporation, and the
UNITED STATES OF AMERICA,

Defendants.

NO. 2:22-CV-00115-RSL

**MODIFIED ORDER
AUTHORIZING SALE OF 3635
23RD AVENUE WEST**

UNITED STATES OF AMERICA,

Counter- and Cross
Claim Plaintiff,

v.

TYLER CARR, an individual, TAYLOR NOREN,
an individual, WELLS FARGO BANK, N.A., AS
TRUSTEE FOR HARBORVIEW MORTGAGE
LOAN TRUST 2006-10, a Delaware corporation,

Counter- and Cross
Claim Defendants,

and

NWBF, LLC, a Washington limited liability
company formerly known as Isola Financial LLC

Modified Order Authorizing Sale
(Case No. 2:22-cv-00115-RSL) – 1

U.S. DEPARTMENT OF JUSTICE
P.O. Box 683
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and also doing business as Northwest Builders Finance, STATE OF WASHINGTON DEPARTMENT OF SOCIAL & HEALTH SERVICES DIVISION OF CHILD SUPPORT, and DAVID STRAUS, an individual,

Additional Cross Claim Defendants.

The United States of America has moved for a modified court order authorizing the sale of the parcel of real property at issue in this action located at 3635 23rd Avenue West, Seattle, Washington 98199 (“Subject Property”), and legally described as:

Lot 19, Block 3, Gilman’s Addition to the City of Seattle, according to the plat thereof recorded in Volume 5 of Plats, Page 93, records of King County, Washington.

Tax Parcel No. 277060-0390-09

See Dkt. no. 16.

Based on the United States’ motion and 26 U.S.C. §§7402(a) and 7403(c), it is hereby ORDERED that:

1. The sale of the Subject Property for the purchase price of \$705,000 to Michael and Andrea Connell is authorized. Upon receipt of the full purchase price, the Receiver is directed to execute the attached Receiver’s Deed transferring title of the Subject Property to Mr. and Mrs. Connell.

2. The sale shall be free and clear of any existing rights, titles, claims, liens, or interest of the Receiver or any other parties to this action to wit:

- a. Tyler Carr,
- b. Taylor Noren,
- c. Wells Fargo Bank, N.A., as Trustee for Harborview Mortgage Loan Trust 2006-10,
- d. GreenPoint Mortgage Funding, Inc.

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- e. NWBF, LLC,
 - f. State of Washington Department of Social & Health Services Division of Child Support,
 - g. David Straus, and
 - h. The United States' federal tax liens as described in the Complaint.
3. Consistent with this Court's Order Appointing a Receiver (Dkt. no. 48), at closing, the Receiver shall be compensated 5% of the gross purchase price and shall be reimbursed from the proceeds of the sale for the reasonable and necessary costs of the sale incurred.
 4. Once the reasonable and necessary costs of sale as detailed in the Receiver's Declaration are deducted, \$435,046.92 as of February 2, 2023 (to be updated at closing to take into account any payments or additions as necessary) will be paid to the Trust, as the first position lienholder regarding the Subject Property.
 5. The remaining funds will be paid into the Court's registry.
 6. The Receiver is authorized to sign all the necessary documents and make all the distributions consistent with this Order.

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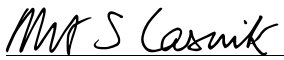
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1 7. In the event Mr. and Mrs. Connell fail to pay over the full purchase price for the
2 Subject Property within thirty (30) days of this order, they will forfeit any initial
3 deposit made, and the Receiver may continue to market the Subject Property to
4 other prospective buyers consistent with the terms in the Order Appointing a
5 Receiver.

6 Dated this 31st day of January, 2023.

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9 Robert S. Lasnik
10 United States District Judge
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